



# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
<http://dnr.state.il.us>

Pat Quinn, Governor  
Marc Miller, Director

April 26, 2013

Ms. Monica Hawk  
McHenry County Dept. of Planning and Development  
McHenry County Government Center  
2200 Seminary Avenue  
Woodstock, IL 60098

**Re: Routine (Enbridge) Pipeline Maintenance, (MP 354.4538), Repair and Maintenance Dig – Greenwood**  
**Endangered Species Consultation Program**  
**Natural Heritage Database Review # 1312317 (1310191, 1311144)**  
**County: McHenry**

Dear Ms. Hawk:

The Department received a submission, via the Department's Ecological Compliance Assessment Tool (EcoCAT), from Barr Engineering, Inc. regarding this project in Section 6, Township 45 North, Range 7 East for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

The proposed action involves the excavation of an area 30-40' wide, 60-80' long and up to 10' deep needed to inspect the above-noted pipeline and make any necessary repairs on this pipeline. The project site is located south of Thayer Road and approximately 3,200' west of Nippersink Creek.

The project site is in the vicinity of **Nippersink Creek Illinois Natural Area Inventory (INAI) Site**. Although not picked up on the report due to being just outside of the buffer set up in EcoCAT, there is a 2012 record of the State-listed endangered **Blanding's Turtle**, *Emydoidea blandingii*, southwest of the project site.

The Department has completed its review of the project and determined that the action may have an adverse impact on the natural area and the Blanding's Turtle. To minimize potential impacts, the Department recommends the County incorporate the following measures in its project authorization.

## INAI Site

- Use special care to direct water away from high quality areas to the east, if any pumping is necessary.
- Over-seed exposed soil with a cover crop.
- Use Best Management Practices to prevent sedimentation outside work zones and monitor them diligently; silt fences, soil stabilization and runoff control measures should be incorporated throughout the entire construction site and during the entire construction period. These should be

inspected on a daily basis to ensure they are working properly and keeping all siltation from the INAI site.

### Blanding's Turtles

The Department is concerned with the effect that trenching, excavating, vehicles and machinery could have on individual turtles within the vicinity of the work zone and wetlands. Turtles could traverse the area as they travel between wetland and upland areas. Turtles could be crushed by equipment or vehicles or startled by work near wetlands.

*Recommendation 1.* The Department recommends that construction crews, and all on-site personnel, be educated and informed about Blanding's Turtles before work begins. Photos of both adult and juvenile Blanding's turtles should be distributed and a site management plan for responding to potential encounters should be discussed in a training session and at a preconstruction site meeting. The Department recommends Barr Engineering distribute their Blanding's Turtle Fact Sheet during training.

*Recommendation 2.* If a turtle is encountered on site, personnel should be instructed to immediately stop work in the surrounding area and contact the Department's Heritage Biologist (Brad Semel, 630/399-3242) and the McHenry Country Conservation District (Sara Denham, 815/728-8307) keeping in mind it is a criminal act to handle a listed species. Personnel on site should watch the turtle until the proper authority arrives to alleviate the situation, keeping at a respectable distance. If the turtle moves, crews should mark the spot they first saw the turtle and the last spot it was seen.

If a Blanding's Turtle is encountered, Incidental Take Authorization from the Department's Office of Resource Conservation will most likely be recommended, which would result in a Conservation Management Plan for the species for this project.

*Recommendation 3.* The project area may contain the route to a nesting site. Therefore, potential harm to transiting turtles is a concern. The Department recommends limiting work to between November 1 and mid-March, when this species is hibernating, to prevent construction activities from crushing or injuring juvenile or adult turtles.

*Recommendation 4.* If construction cannot be limited to the recommended time frame, exclusionary fencing should be installed and in place, from the beginning of March and remain until the end of October, to prevent turtles from entering the construction areas. Daily inspections of both sides of the fence should occur for the first two weeks and then be maintained weekly throughout the work period to ensure the exclusionary fencing has been properly installed (dug into the ground) and to check if any turtles are present on either side of the fence.

*Recommendation 5.* The Department recommends that any trenches or excavations dug as a result of this project be covered at the end of each work day. Before starting each work day, trenches and excavations should be routinely inspected to ensure no turtles (or other animals) have become trapped within them.

Consultation on the part of the Department is completed. In accordance with 17 Ill. Adm. Code 1075.40(h), the County must notify the Department of its decision regarding these recommendations, whether they will:


- Allow the action to proceed as originally planned;
- Require the action to be modified per Department recommendations (please specify which measures if not all will be required); or
- Forgo the action.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resources review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected species are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this project review.

Warm regards,



Kathi Davis  
Division of Ecosystems and Environment  
Impact Assessment Section  
Office of Realty & Environmental Planning  
217-785-5500

enclosure

cc: Brad Semel, IDNR/Region II/Restoration Ecology  
Dennis Sandquist, McHenry County Dept of Planning & Development  
Elizabeth Kessler, McHenry County Conservation District  
Sara Denham, McHenry County Conservation District  
Mandy Bohnenblust, Barr Engineering  
Cindy Skrukud, McHenry County Defenders/1075.70  
Lisa Haderlein, Land Conservancy of McHenry County/1075.70